



Room 301, Hall of Records  
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# Board of Supervisors Agenda

Chairman

**Juan Arambula**  
3rd District

Vice Chairman

**Susan B. Anderson**  
2nd District

**Phil Larson**  
1st District

**Bart Bohn**  
County Admin. Officer

**Judith G. Case**  
4th District

**Phillip S. Cronin**  
County Counsel

**Bob Waterston**  
5th District

**Bernice E. Seidel**  
Clerk

## ACTION SUMMARY MINUTES

**TUESDAY**

**SEPTEMBER 16, 2003**

**9:00 A.M.**

### **PLEDGE OF ALLEGIANCE**

**NOTE: Any item that is pulled from the morning consent agenda for discussion will be set aside until the department can be notified and its representative is in the board room.**

#### **1. Morning Consent Agenda – Item Numbers 18 - 44**

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

AnCLWA

**APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM NOS. 19, 20 AND 21 WHICH WERE PULLED FOR DISCUSSION**

AnWA  
CL/no

**APPROVED ITEM NOS. 19, 20 AND 21 AS RECOMMENDED**

#### **Chairman Arambula**

2. Recognize the Rape Counseling Services of Fresno for their ongoing dedication to the residents of Fresno County over the past thirty years

AnCLWA

**APPROVED AS RECOMMENDED; ADOPTED RESOLUTION NO. 03-456**

#### **Supervisor Waterston**

3. Adopt resolution authorizing formation of the Wastewater Advisory Committee

LWAnCA

**DIRECTED STAFF TO EXPLORE THE POSSIBILITY OF MAKING THIS COMMITTEE A SUB-COMMITTEE /AD-HOC-COMMITTEE TO THE WATER ADVISORY BOARD AND RETURN TO THE BOARD IN TWO WEEKS**

4. Adopt resolution endorsing language proposed by San Joaquin Valley Water Coalition for inclusion in the next State Water Bond

WCAAnLA

**APPROVED AS RECOMMENDED**

5. Consider changes approved by the Children and Families Commission of Fresno County to Fresno County Ordinance 99-012 (chapter 2.38) related to the Children and Families Commission and direct staff regarding disposition of ordinance to implement the proposed changes

WAnCLA

**CONSIDERED CHANGES; DIRECTED COUNTY COUNSEL TO TAKE INTO CONSIDERATION ALL COMMENTS MADE AND RETURN TO THE BOARD IN TWO WEEKS**

6. Review and comment on annual Report and Audit for the State Children and Families Commission

**RECEIVED**

**Administrative Office**

7. Take the following actions to address the impact of the adopted FY 2003-04 State Budget; 1) adopt resolutions adjusting FY 2003-04 appropriations and estimated revenues impacting the District Attorney, Library and Public Works and Planning – Roads budgets (4/5 vote); 2) adopt resolution increasing appropriations FY 2003-04 in the Interest and Miscellaneous Expenditure Budget (2540) and reducing the State Budget Mitigation Designation to pay Federal penalties related to installation of the Child Support System (4/5 vote); 3) adopt resolution reducing revenues FY 2003-04 in the Court Ancillary Services and Auditor-Controller/Treasurer-Tax Collector budgets and decreasing the Tobacco Settlement, Teeter Buyout and State Budget Mitigation Designations to address the miscellaneous court fee transfer and a portion of the reduced Vehicle License Fee revenues (4/5 vote); 4) consider alternatives and direct staff regarding mitigation of the \$8.0 million shortfall in the 2003-04 County Budget due to reduced Vehicle License Fee revenues; and authorize Chairman to execute budget resolutions implementing final Board action (4/5 vote)

AnWLCA

**CONTINUED TO SEPTEMBER 30, 2003**

8. Approve the 2004-05 Department Base Target Budget level based on the allocation of Countywide revenues included in the 2003-04 Proposed Budget; and authorize the County Administrative Officer to adjust Department Base Target Budget levels as appropriate

WLAAnCA

**APPROVED AS RECOMMENDED**

9. **Board of Supervisors' Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)

**RECEIVED**

10. **Board Appointments** – (List attached in packet and posted on bulletin board outside of Board Chambers)

HISTORICAL LANDMARKS & RECORDS ADVISORY COMMISSION

**APPOINTED DONALD SHANTZ TO REPLACE STEVE McDONALD**

KINGSBURG CEMETERY DISTRICT

**REAPPOINTED DAVID D. DELINGER**

MENTAL HEALTH BOARD

**APPOINTED KATHERINE WALKER TO REPLACE BILLIE ROSE HUGHES**

SHAVER LAKE CITIZENS ADVISORY COUNCIL

**APPOINTED ROBERT A. SARGENTINI TO REPLACE VIVIAN TOZIER ZIMMERMAN**

AnCLWA

**APPROVED NOMINATIONS FOR APPOINTMENTS/REAPPOINTMENT**

11. **Closed Session –**

- a. Conference with Real Property Negotiators (GC 54956.8)  
Property: Acute care hospital, formerly known as Valley Medical Center;  
ambulatory care clinics (including the children's clinic) and Huntington  
Hall, all at 445 S. Cedar Avenue  
County's Negotiators: Bart Bohn, Vicki Crow, Phillip Cronin  
Negotiating Parties: Community Medical Center and County of Fresno  
Under Negotiation: Lease of property described above – instructions to  
County's negotiators concerning leasing price and terms of lease payments
- b. Conference with Labor Negotiator (GC 54957.6): Agency Negotiator: Ralph  
Jimenez; Employee Organization: All Bargaining Units and Management and  
Unrepresented Employees – Hours, Wages and Terms and Conditions of  
Employment

**HELD**

**NOON RECESS**

**2:00 P.M.**

**12. Afternoon Consent Agenda – Item Numbers 45 - 53**

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Afternoon Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

AnCLWA

**APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM NOS. 46 AND 48 WHICH WERE PULLED FOR DISCUSSION**

WLANCA

**APPROVED ITEM NO. 46 AS RECOMMENDED**

CAnLWA

**APPROVED ITEM NO. 48 AS RECOMMENDED**

**Administrative Office**

13. Adopt resolution authorizing simultaneous rescission of portion of Agricultural Land Conservation Contract Nos. 1747 and 2786 and enter into new Agricultural Land Conservation Contract Nos. 8144 and 8145 based on seven finding required by Land Conservation Act of 1965 (Williamson Act)

LWAnCA

**APPROVED AS RECOMMENDED**

14. Adopt Resolution of Intention to initiate Zoning Ordinance Text Amendment to expand the range of “value-added” agricultural processing uses in County’s Agricultural Zoning Districts

AnLCWA

**APPROVED AS RECOMMENDED, INCLUDING ORDINANCE AMENDMENT RELATED TO TOURISM/AGRI-TOURISM; AND DIRECTED STAFF TO MOVE AS QUICKLY AS POSSIBLE ON BOTH EFFORTS**

15. Adopt Resolution of Intention to initiate amendment to Transportation and Circulation Element of General Plan to address access onto rural expressways at Interstate 5 freeway interchanges for commercially designated areas

LWAnCA

**APPROVED AS RECOMMENDED**

16. Consider final revisions to Amendment to Text No. 351 and adopt ordinance amending various sections of Zoning Ordinance to implement provisions of State Law regarding second residences (continued from August 26, 2003)

LWAnCA

**APPROVED AS RECOMMENDED; WAIVED READING OF ORDINANCE IN ITS ENTIRETY; AND ADOPTED ORDINANCE NO. T-075-451**

17. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

**HELD**

**ADDENDUM TO AGENDA**

**County Counsel**

Conference with legal counsel – Existing Litigation Government Code Section 54956.9(a) – County of Fresno v. Board of Retirement, Fresno County Superior Court Case No.: 03 CE CG 01569

Conference with legal counsel – Significant Exposure to Litigation Government Code Section 54956.9(b) – No. of Cases: 1

Placement on Agenda: **Closed Session**

**HELD**

LAnCWA

**ADJOURNED**

**NEXT MEETINGS:**

September 30, 2003 – 9:00 A.M.

October 14, 2003 – 9:00 A.M.

<p><b>Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk to the Board of Supervisors (559) 488-3529 no later than Monday at 9:00 a.m.</b></p>
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**MORNING CONSENT AGENDA – Item Numbers 18 - 44**

(Any Board Member may pull any consent item for discussion or separate vote)

AnCLWA

**APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM NOS. 19, 20 AND 21 WHICH WERE PULLED FOR DISCUSSION**

AnWA  
CL/no

**APPROVE ITEM NOS. 19, 20 AND 21 AS RECOMMENDED**

**Chairman Arambula**

18. Proclaim September 19 through 29, 2003, as Prisoners of War – Missing in Action Remembrance Days

**Auditor-Controller/Treasurer-Tax Collector**

19. Approve and authorize Chairman to execute agreement with Kelling, Northcross and Nobriga, Inc., for Financial Advisory Services related to Pension Obligation Bonds (maximum \$142,500)

AnWA  
CL/no

**APPROVED AS RECOMMENDED**

20. Approve and authorize Chairman to execute agreement with Kelling, Northcross and Nobriga, Inc., for Financial Advisory Services related to Certificates of Participation for partial financing of The Juvenile Justice Campus (maximum \$110,000)

AnWA  
CL/no

**APPROVED AS RECOMMENDED**

**County Counsel**

21. Approve and authorize Chairman to execute agreements with the law firm of Hawkins, Delafield & Wood to act as special bond counsel and disclosure counsel for the following proposed County financings: Series 2003 Pension Obligation Bonds (POBs; not to exceed \$85,000; and Certificates of Participation (“COPs”) for the County’s Juvenile Justice Facility (not to exceed \$100,000)

AnWA  
CL/no

**APPROVED AS RECOMMENDED**

**Sheriff**

22. Approve and authorize Chairman to execute agreement with the State of California Department of Boating and Waterways, to increase appropriations by (\$50,000) to purchase a patrol boat; and adopt resolution increasing FY 2003-04 appropriations and estimated revenues for the Sheriff’s Grant Org. 3112 (\$50,000) (4/5 vote)
23. Adopt resolution increasing FY 2003-04 appropriations and estimated revenue for Sheriff’s Grant Org. 3112 by (\$6,350) for the purchase of three scanners and one cash register (4/5 vote)
24. Approve sole source purchase of one patrol vehicle for the Sheriff Department, and adopt resolution increasing FY 2003-04 appropriations for Sheriff’s Grant Org. 3112 by \$31,728 (4/5 vote)

**Sitting as Board of Equalization**

25. Adopt resolution setting October 14, 2003, at 9:00 A.M., for hearing to consider objections to assessments of Kings River Water District

**Administrative Office**

26. Accept letters from Sheriff and District Attorney requesting distribution of Citizens Option for Public Safety funds to their respective budgets and determine that requests are appropriate within guidelines established by Government Code Section 30061
27. Approve and authorize Clerk to execute Budget Transfer No. 8 (\$11,480) within, the Department of Community Health Org. 56201696 and 56209999 to reallocate appropriations for the purchase of Public Health Laboratory equipment and satellite telephone equipment; and adopt resolution increasing FY 2003-04 Information Technology Services Department Internal Service Fund appropriations and estimated revenues Org. 8908 for FY 2003-04 (\$4,934) for the purchase of two telephones  
(4/5 vote)
28. Adopt resolution allocating funds for FY 2003-04 Fleet Services Equipment Org. 8911 (\$201,381.24) to finance the purchase of a replacement paint striper truck (4/5 vote)
29. Adopt resolution increasing FY 2003-04 Human Services System Community Based Services Org. 56037111 appropriations and estimated revenue for promoting Safe and Stable Families Program in the amount of \$159,945 (4/5 vote)
30. Approve and authorize submission of application to California State Library FY 2003-04 Reach Out and Read grant program
31. Approve and authorize Chairman to execute Memorandum of Understanding with Blue Cross of California, a health maintenance organization, for Fresno County mental health and physical health Medi-Cal beneficiaries
32. Authorize submission of application to First 5 of Fresno County for Proposition 10 grant funds to support implementation of Family-to-Family Initiative's Strategic Plan

**Agreements – Approve and Authorize Chairman to Execute:**

33. Agreement with Legion of Valor Museum for the promotion, improvement, operation or maintenance of Legion of Valor National Museum (\$10,000) (funding for this agreement is included in the FY 2003-04 adopted interest and miscellaneous expenditures budget)
34. Agreement with the Volunteer Center for the School Crossing Guard Program (\$14,231) (funding for this agreement is included in the FY 2003-04 adopted interest and miscellaneous expenditures budget)
35. Agreement with Fresno City/County Historical Society for operation and maintenance of Kearney Mansion Museum Complex (\$31,500) (funding for this agreement is included in the 2003-04 adopted Parks and Grounds and interest and miscellaneous expenditures budgets)

36. Agreement on behalf of San Joaquin Valley Library System with California State Library for California Opportunities for Reference Excellence Online Learning Program (\$78,650); adopt resolution on behalf of San Joaquin Valley Library System increasing FY 2003-04 appropriations and estimated revenues for the San Joaquin Valley Library System Org. 75200178 (\$71,500) to establish funding authorization to carry out the terms of the grant (4/5 vote)
37. Agreement with California State University, Fresno - Foundation for social work and counseling graduate student training and related services within the Departments of Adult Services and Children and Family Services (\$43,200)
38. Application/Agreement for submission to State Department of Social Services, Office of Child Abuse Protection, for FY 2003-04 Community-Based Family Resource and Support Program funds (\$29,605)
39. Agreement with Families First, Inc., for specialty mental health Organizational Provider Services (\$3,500,000); authorize the Director, Human Services System, or designee, or Director of Mental Health to terminate on behalf of the County, the Board-approved organizational Provider Services Agreement when, in the Director's judgment, termination is justified under the conditions specified in the contract; and approve the Organizational Provider Fee Schedule to allow the Mental Health Plan to pay for services to Medi-Cal beneficiaries and authorize the Director, Human Services System, or designee to adjust the fee schedule as the Medi-Cal Standard Maximum Allowances rates change
40. Agreement with Genesis Family Center, Inc., for specialty mental health Organizational Provider Services (\$500,000); authorize the Director, Human Services System or designee, or Director of Mental Health to terminate on behalf of the County, the Board-approved Organizational Provider Services Agreement when, in the Director's judgment, termination is justified under the conditions specified in the contract; and approve the Organizational Provider Fee Schedule to allow Mental Health Plan to pay for services to Medi-Cal beneficiaries and authorize the Director, Human Services System, or designee to adjust the fee schedule as the Medi-Cal Standard Maximum Allowances rates change
41. Amendment to agreement with Court Appointed Special Advocates of Fresno County for Baseline Assessment and Screening of Youth and Children program expansion
42. Amendment to agreement with Proteus, Inc., for basic living skills education and training classes to Independent Living Program youth (\$38,333)
43. Sole source agreement with Housing Authorities of the City and County of Fresno for Emergency Housing Center (\$250,936)
44. Red Imported Fire Ant Survey agreement with the State of California, Department of Food and Agriculture (\$29,667)



**AFTERNOON CONSENT AGENDA – Item Numbers 45 - 53**

(Any Board Member may pull any consent item for discussion or separate vote)

**AnCLWA**      **APPROVED AS RECOMMENDED EXCLUDING ITEM NOS. 46 AND 48 WHICH WERE PULLED FOR DISCUSSION**

**WLAAnCA**      **APPROVED ITEM NO. 46 AS RECOMMENDED**

**CAnLWA**      **APPROVED ITEM NO. 48 AS RECOMMENDED**

**Administrative Office**

45. Adopt resolution authorizing expansion of existing 1.45-acre homesite parcel to 2.5 acres from existing 18.22-acre parcel of land subject to Agricultural Land Conservation Contract No. 7049
46. Approve substitution of W. M. Lyles Company for Marelich Mechanical Co., Inc., as subcontractor for the process piping and equipment on Contract No. 02-S-14, Juvenile Justice Campus, Bid Package No. 1

**WLAAnCA**      **APPROVED AS RECOMMENDED**

47. Adopt resolution approving the submittal of application for Per Capita Program grant funds from California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, and authorize Director of Department of Public Works and Planning to execute all grant documents
48. Adopt resolution approving the submittal of application for Roberti-Z' Berg-Harris Urban Open Space and Recreation Block Grant Program funds from California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, and authorize Director of Department of Public Works and Planning to execute all grant documents

**CAnLWA**      **APPROVED AS RECOMMENDED**

49. Adopt resolution authorizing Director of Public Works and Planning as agent for negotiating and executing all documents necessary for completion of projects funded through Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 Roberti-Z' Berg-Harris Urban Open Space and Recreation Block Grant Program
50. Approve Budget Transfer No. 14 (\$167,555) within Org. 1910, year 2002; adopt resolution increasing FY 2003-04 appropriations and estimated revenue for Capital Projects Org. 1910 (\$1,292,699) (4/5 vote); and award Contract No. 03-S-01 for Facilities Improvements to Buildings 311, 313 and 315 for ADA Compliance and Demolition of Building 316 at Department of Employment and Temporary Assistance, University Medical Center Campus, to low bidder, Construction Designs Unlimited, Inc., 8230 N. Marion, Clovis, (\$1,582,506) for base bid and additive alternates bids 1 through 5

**Agreements – Approve and Authorize Chairman to Execute**

51. Agreement with North Central Fire Protection District for Biola Fire Station Apparatus Exhaust System Community Development Block Grant Project No. 03088 (\$33,593)
52. Amendment to agreement with Shaver Lake Civic League for construction of launch ramp and parking lot at Shaver Lake (continued from September 9, 2003)

53. Amendment to agreement with Caruthers Community Services District for Caruthers Concrete Lining of Aerated Ponds at the Wastewater Treatment Plant, Community Development Block Grant Project No. 02999 (\$25,274)